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NOTICE OF ALLOWANCE AND FEE(S) DUE

52349 7590 06/11/2009

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER

CHAU, PETER P

ART UNIT

PAPER NUMBER

2419

DATE MAILED: 06/11/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,294

04/19/2006

Daisuke Kobayashi

2006_0584A

4491

TITLE OF INVENTION: A TECHNIQUE FOR ENABLING COMMUNICATION BETWEEN A COMMUNICATION DEVICE THAT PERFORMS AN INTERMITTENT RECEPTION AND A COMMUNICATION DEVICE THAT PERFORMS A CONTINUOUS RECEPTION OPERATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/11/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

52349 7590 06/11/2009

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,294 04/19/2006 Daisuke Kobayashi 2006_0584A 4491

TITLE OF INVENTION: A TECHNIQUE FOR ENABLING COMMUNICATION BETWEEN A COMMUNICATION DEVICE THAT PERFORMS AN INTERMITTENT RECEPTION AND A COMMUNICATION DEVICE THAT PERFORMS A CONTINUOUS RECEPTION OPERATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 09/11/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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CHAU, PETER P 2419 370-311000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,294	04/19/2006	Daisuke Kobayashi	2006_0584A	4491
52349	7590	06/11/2009	EXAMINER	
WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503			CHAU, PETER P	
			ART UNIT	PAPER NUMBER
			2419	
DATE MAILED: 06/11/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 524 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 524 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/576,294

Applicant(s)

KOBAYASHI ET AL.

Examiner

PETER CHAU

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/24/2009.
2. ☒ The allowed claim(s) is/are 60-115.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>4/19/2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2419

DETAILED ACTION

1. Claims 60-115 have been examined and are allowed.
2. Examiner accepts and acknowledges the receipt of a new title the applicant has provided on 2/24/2009 and will replace the previously presented title provided on 4/19/2006.
3. Examiner accepts and acknowledges the receipt of a new abstract the applicant has provided on 2/24/2009 and will replace the previously presented abstract provided on 4/19/2006.
4. Examiner accepts and acknowledges the receipt of a new specification the applicant has provided on 2/24/2009 and will replace the previously presented specification provided on 4/19/2006.

Priority

5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

6. An initialed and dated copy of Applicant's IDS form 1449 submitted on 4/19/2006, is attached to the Office Action. Reasons for not considering "ECHONET Kikakusho Dai 3 Bu Denso Media to Kai Tsushin Software Shiyo Version 2.11" was because the applicant has given only the Japanese version of the file. The document does not have an English translation or English abstract.

Response to Amendment

7. Examiner respectively withdraws the objections of the abstract, title, objection to paragraph [0027], objection to Patent Document 1 and claim objection for claims 78, 108, 112 and 103 because applicant has amended to overcome the objections.
8. Examiner respectively withdraws the 112 rejection for claims 60 and 79.

Allowable Subject Matter

9. The following is an examiner's statement of reasons for allowance: The prior arts of record, in combination or single, does not teach, suggest or provide a rationale of a communication device applied to each apparatus forming a network system comprising: transmission processing means for transmitting data; timer means for counting a continuous operation request effective time during which transmitted data is always received; transmission control means for controlling the transmission processing means to transmit data in which is set continuous operation request information causing the timer means in a communication device applied to an intermittent apparatus that receives data intermittently to start counting the continuous operation request effective time, and for starting its own timer means to count the continuous operation request effective time; reception processing means for receiving data; reception control means for controlling the reception processing means; transmission interface means for accepting transmission destination information specifying whether data is to be transmitted by a broadcast or simplex transmission from an apparatus main body and

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for delivering the transmission destination information to the transmission control means; and transmission setting holding means for holding transmission setting information that is enabled or disabled, wherein the reception control means in the communication device applied to the intermittent apparatus starts its own timer means to count the continuous operation request effective time upon receipt of the data in which is set the continuous operation request information at its own reception processing means, and wherein the transmission control means determines transmission control processing, in which presence or absence of the continuous operation request information and a number of transmissions of data are specified in advance, depending on the transmission destination information, the transmission setting information, and whether the timer means is counting the continuous operation request effective time, and transmits data generated according to the determined transmission control processing to the transmission processing means for claim 60 and a communication device applied to each apparatus forming a network system comprising: transmission processing means for transmitting data; timer means for counting a continuous operation request effective time during which transmitted data is always received; transmission control means for controlling the transmission processing means to transmit a continuous operation request signal causing the timer means in a communication device applied to an intermittent apparatus that receives data intermittently to start counting the continuous operation request effective time, and for starting its own timer means to count the continuous operation request effective time; reception processing means for receiving data; reception control means for controlling

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the reception processing means; transmission interface means for accepting transmission destination information specifying whether transmission data including a message to be transmitted is to be transmitted by a broadcast or simplex transmission from an apparatus main body and for delivering the transmission destination information to the transmission control means; and transmission setting holding means for holding transmission setting information that is enabled or disabled, wherein the reception control means in the communication device applied to the intermittent apparatus starts its own timer means to count the continuous operation request effective time upon receipt of the continuous operation request signal at its own reception processing means, and wherein the transmission control means determines transmission control processing, in which the continuous operation request signal and a number of transmissions of the transmission data are specified in advance, depending on the transmission destination information, the transmission setting information, and whether the timer means is counting the continuous operation request effective time, and transmits data generated according to the determined transmission control processing to the transmission processing means for claim 79 and a communication method for a network system including a communication device that receives data intermittently, characterized in that: a communication device at a transmission end includes a transmission control step of transmitting data in which is set continuous operation request information causing timer means in a communication device that performs an intermittent reception to start counting a continuous operation request effective time, and starting its own timer means to count the continuous operation request effective

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time; and the communication device that performs the intermittent reception and performs a continuous reception operation within the continuous operation request effective time includes a reception control step of starting its own timer means to count the continuous operation request effective time upon receipt of the data in which the continuous operation request information is set, wherein the transmission control step includes: a transmission setting reading step of reading out a state of a transmission setting that is enabled or disabled; a timer starting step of starting the timer means to count the continuous operation request effective time; an appending step of appending the continuous operation request information to transmission data; a broadcast transmission step for an intermittent reception of transmitting the transmission data by a broadcast transmission over a period longer than an intermittent cycle assuming that the transmission data is received at another communication terminal that performs an intermittent reception operation; a broadcast transmission step for a continuous reception of transmitting the transmission data by a broadcast transmission over a period shorter than the intermittent cycle assuming that the transmission data is received at another communication terminal that performs a continuous reception operation; a simplex transmission step for an intermittent reception of transmitting the transmission data by a simplex transmission over a period longer than the intermittent cycle assuming that the transmission data is received at another communication terminal that performs an intermittent reception operation; and a simplex transmission step for a continuous reception of transmitting the transmission data by a simplex transmission over a period shorter than the intermittent cycle assuming that the

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transmission data is received at another communication terminal that performs a continuous reception operation for claim 98 and a communication method for a network system including a communication device that receives data intermittently, characterized in that: a communication device at a transmission end includes a transmission control step of transmitting a continuous operation request signal causing timer means in a communication device that performs an intermittent reception to start counting a continuous operation request effective time, and starting its own timer means to count the continuous operation request effective time; and the communication device that performs the intermittent reception and performs a continuous reception operation within the continuous operation request effective time includes a reception control step of starting its own timer means to count the continuous operation request effective time upon receipt of the continuous operation request signal, wherein the transmission control step includes: a transmission setting reading step of reading out a state of a transmission setting that is enabled or disabled; a timer starting step of starting the timer means to count the continuous operation request effective time; a signal generating step of generating the continuous operation request signal; a broadcast transmission step for an intermittent reception of transmitting the continuous operation request signal by a broadcast transmission over a period longer than an intermittent cycle assuming that the continuous operation request signal is received at a communication device that performs an intermittent reception operation; a broadcast transmission step for a continuous reception of transmitting the continuous operation request signal by a broadcast transmission over a period shorter than the intermittent cycle assuming that

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the continuous operation request signal is received at another communication device that performs a continuous reception operation; a simplex transmission step for an intermittent reception of transmitting the continuous operation request signal by a simplex transmission over a period longer than the intermittent cycle assuming that the continuous operation request signal is received at another communication device that performs an intermittent reception operation; and a simplex transmission step for a continuous reception of transmitting the continuous operation request signal by a simplex transmission over a period shorter than the intermittent cycle assuming that the continuous operation request signal is received at another communication device that performs a continuous reception operation for claim 103.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See form PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER CHAU whose telephone number is (571)270-7152. The examiner can normally be reached on Monday-Friday 7:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. C./
Examiner, Art Unit 2419

/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2419